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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ROBERT T. PUOPOLO,

Plaintiff,

-against-

EQUINOX CAPITAL, INC.,  
EQUINOX PARTNERS III, LLC,  
and STEVEN C. RODGER,

Defendants.  
-----X

Case No.:  
08-CV-1311 (LAP)

**STIPULATION AND  
~~PROPOSED~~ ORDER**

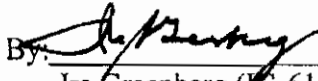
**IT IS HEREBY STIPULATED, CONSENTED TO AND AGREED** by and  
between the undersigned counsel:

1. That the date set forth in this Court's 60-day Order of Discontinuance,  
dated June 24, 2008, by which plaintiff is required to apply to Magistrate Judge Eaton by  
letter (by fax or by mail) for restoration of the action to the calendar if the settlement is  
not effected, be extended from August 25, 2008 to September 8, 2008.

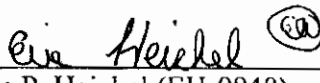
2. That, for the purposes of this stipulation, facsimile or other electronic  
signatures are to be deemed the equivalent of original signatures.

Dated: August 7, 2008

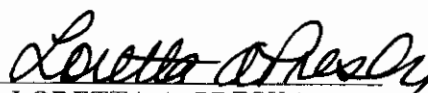
Edwards Angell Palmer  
& Dodge LLP

By:   
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Attorneys for Defendants

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By:  (EH)  
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Attorneys for Plaintiff

SO ORDERED

  
LORETTA A. PRESKA  
United States District Judge

August 13, 2008